

# COMMITTEE AMENDMENT FORM

DATE: 01/10/07

COMMITTEE      ZONING      PAGE NUM. (S)1

ORDINANCE I. D. #06-O-1798      SECTION (S)

RESOLUTION I. D. #07-R-      PARA.

AMENDS THE LEGISLATION BY ADDING SIX (6) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 01/10 /07

City Council  
Atlanta, Georgia

**06-O-1798**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-78**  
Date Filed: 7-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1059 Grant Street, S.E., and 1084 and 1090 Hill Street, S.E.,** be changed from I-1 (Light Industrial) and R-5 (Two-family Residential) Districts to the MRC-3-C (Mixed Residential Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 42, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-06-78

1. All concrete drives shall be permeable concrete.
2. The developer shall design and construct the proposed street connecting Grant Street and Hill Street at the developer's expense. Said street shall be considered a project improvement and be constructed to City of Atlanta public street standards. The implementation of this condition shall not occur until such time as the necessary right-of-way is acquired by the City of Atlanta from its current owner and the developer is authorized by the City of Atlanta to commence design and construction. Upon completion of construction the street in its entirety shall become the property of the City of Atlanta.
3. In the event that the City of Atlanta adopts design standards for the Grant Park neighborhood for such elements as street lamps, street furniture, tree wells and sidewalks prior to the construction or installation of such elements in this development, the developer shall adhere to those standards as applicable.
4. EFIS (Exterior Insulation Finish System) shall not be permitted in this development.
5. This development shall not be gated.
6. This development shall not be permitted any monument signage

City Council  
Atlanta, Georgia

**06-O-1798**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-78**  
Date Filed: 7-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1059 Grant Street, S.E., and 1084 and 1090 Hill Street, S.E.,** be changed from I-1 (Light Industrial) and R-5 (Two-family Residential) Districts to the MRC-3-C (Mixed Residential Commercial-Conditional) District,, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 42, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

City Council  
Atlanta, Georgia

**06- 0 -1798**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-78**  
Date Filed: 7-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1059 Grant Street, S.E., and 1084 and 1090 Hill Street, S.E.,** be changed from I-1 (Light Industrial) and R-5 (Two-family Residential) Districts to the MRC-3 (Mixed Residential Commercial) District,, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 42, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## Legal Description

---

1059 Grant Street  
Owner: Jay Kessler

All that parcel or tract of land lying and being in Land Lot 42 of the 14<sup>th</sup> District, Fulton County, Georgia, and being more particularly described as follows:

### Tract I

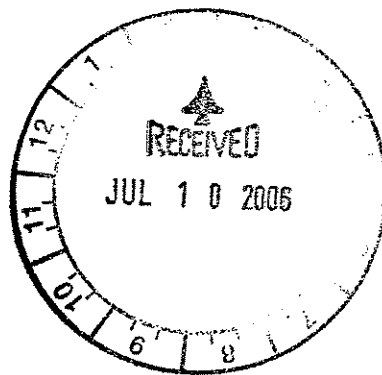
---

Beginning at the end of the Westerly right-of-way limits of Grant Street (right-of-way varies) at an iron pin, set; thence running South 89°59'17" West a distance of 81.01' to a rebar, found; thence continuing North 00°37'13" East a distance of 50.15' to a rebar, found; thence continuing South 89°48'24" West a distance of 238.74' to an iron pin, set; thence continuing North 00°05'43" East a distance of 121.83' to an iron pin, set; thence continuing North 89°48'24" East a distance of 15' to an iron pin, set; thence continuing North 00°05'43" East a distance of 29.80'; thence continuing South 89°53'25" East a distance of 307.20' to a rebar, found; thence continuing South 00°55'43" West a distance of 200.44' to the point of beginning.

### Tract II: being lots 12 and 13 of Block "A<sup>2n</sup>"

---

Beginning along the Easterly right-of-way limits of Hill Street (a 50' right-of-way) at a rebar, found; thence running North 00°16'08" East a distance of 121.83' to a rebar, found; thence continuing North 89°48'24" East a distance of 185.20' to an iron pin, set; thence continuing South 00°05'43" West a distance of 121.83' to an iron pin, set; thence continuing South 89°48'24" West a distance of 185.57' to the point of beginning.



RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE